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TAGS: PGOV KCOR SNAR BTIO ZA

SUBJECT: VICE PRESIDENT ON ANTI-CORRUPTION EFFORTS, GMOS,

FIU: GRZ WILLING, BUT BUREAUCRACY IS WEAK

Classified By: Ambassador Donald Booth, reasons 1.4 (b) and (d).

¶1. (C) Summary. Vice President and Minister of Justice George Kunda indicated his government's willingness to move forward on anti-corruption, reopening discussion of GMOs, and anti-money laundering efforts, among other topics, during a discussion with the Ambassador on February 19. In almost every case, however, Kunda referred to the necessity of Cabinet approval of a policy or initiative as a prerequisite for progress, which in some cases can translate into years of delay. Kunda also expressed gratitude for USG efforts on HIV/AIDS and governance and expressed interest in pressing forward with Millennium Challenge Compact negotiations. End summary.

¶2. (U) The Ambassador Vice President and Minister of Justice George Kunda on February 19 to engage on Mission priorities. Kunda led off by expressing the GRZ's gratitude for USG assistance on HIV/AIDS and governance and also expressed his pleasure that Zambia had been declared eligible to negotiate a Millennium Challenge Account compact. The Ambassador stressed that Zambia would need to maintain its eligibility throughout compact negotiations and asked in particular about five pieces of anti-corruption legislation that a USG-supported consultant had prepared drafts of and turned over to the MOJ in 2007. The proposed drafts involved disclosure of assets, presentation of evidence, whistleblower protection, plea negotiations and agreements, and proceeds of crime.

¶3. (C) Kunda said that the MOJ's drafting department was currently working on legislation regarding evidence and promised to pass along the consultant's proposed draft in that area. Regarding disclosure of assets, Kunda said that the National Constitutional Conference (NCC) has approved some provisions related to the issue and as such it was not advisable to propose "subsidiary legislation" until the NCC made its final recommendations. On the remaining three fronts, Kunda said that the MOJ would prepare an omnibus anti-corruption bill that included such provisions once the Cabinet approved the anti-corruption policy (a policy that has been pending for several years). The new law would also contain provisions consolidating the powers of the Task Force on Corruption within the Anti-Corruption Commission, because Kunda noted, "having separate institutions is too fragmented." Kunda said he thought that approval of the anti-corruption policy (promised to donors in late 2007) could happen "any time" but refused to offer any more specifics.

¶4. (C) Regarding the establishment of a financial intelligence unit and anti-money laundering (AML) efforts in general, Kunda acknowledged that the current AML unit housed at the Drug Enforcement Commission (DEC) needed to be reformed through new legislation and said that the GRZ was "committed" to working on the problem. According to Kunda, Cabinet approval is needed to move forward on a planned "administrative unit" that would be able to gather and evaluate information from financial institutions. He also noted that Zambia will be working in the context of the Southern Africa Development Community (SADC) to establish a regional FIU (comment: Kunda, who earlier in his career helped establish the DEC's AML unit, had been an obstacle to

progress on a modern FIU in the past).

¶ 15. (U) Given the Vice President's role as the head of the government's Disaster Management and Mitigation Unit (DMMU), the Ambassador briefed Kunda on our efforts to provide containers of disaster response articles as well as potential training for Zambian security forces on disaster response. Kunda said that the GRZ might be interested and asked for more details.

¶ 16. (C) The Ambassador also pressed Kunda regarding Zambia's position on biotechnology and GMOs, given recent private comments by President Banda expressing a hope that the debate could be re-opened. Noting that "we believe there is no need to maintain a rigid position," Kunda said that the debate in Zambia was heavily politicized and that more discussion was needed to open minds. For Kunda, the main obstacle was European refusal of GMOs, although the Ambassador pointed out that Zambia does not export food crops to the EU and that some EU countries have in fact changed their minds on GMOs. Kunda expressed appreciation for USG willingness to assist in providing information and asked that the Embassy work with the Ministry of Agriculture.

¶ 17. (C) Comment: Kunda appeared more engaged during this meeting than in previous encounters, but unfortunately he didn't have any of his staff sit in to ensure follow-up on issues that were raised. The "has to pass through Cabinet" or "is before Cabinet for consideration" responses are common refrains for GRZ officials and can translate into a wait of months or years, calling into question the GRZ's political will for reform. Given the GRZ's eagerness to proceed on MCC, however, we may have a pressure point that could help generate political will and energize the bureaucracy. End comment.

BOOTH